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Letter dated 25 June 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the statement of 23 June 2002 by the Ministry of Foreign Affairs of the Republic of Cuba on the warning issued by the Republic of Cuba concerning a possible escape by the notorious terrorist Luis Posada Carriles.

I should be grateful if you could have the text of this letter and its annex circulated as a document of the General Assembly under agenda item 166 and as a document of the Security Council.

(*Signed*) Orlando **Requeijo Gual**
Ambassador
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Annex to the letter dated 25 June 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

Note from the Ministry of Foreign Affairs of the Republic of Cuba

Warning of possible escape of the notorious terrorist Luis Posada Carriles

The Ministry of Foreign Affairs has learnt that Mr. Rogelio Cruz, defence lawyer of the notorious terrorist Luis Posada Carriles, recently announced that his client had been transferred to a private clinic in Panama on the grounds of deteriorating health.

In view of this news, the Ministry considers it necessary to recall how the trial against Luis Posada Carriles was conducted, since it was characterized from the outset by irregularities, politically motivated decisions and actions designed to encourage escape by the terrorists or impunity for their crimes.

Shortly after the authorities of the Republic of Panama had rejected the justified extradition request made by the Cuban judicial authorities against the four terrorists, for crimes committed by them for decades against our people, as fully documented in four extradition applications with over 2,000 pages, a group of labour, student and indigenous organizations in the Republic of Panama submitted four complaints against the detained terrorists.

Our people will recall that the attack planned against the life of the Commander-in-Chief was to be perpetrated in the auditorium of the University of Panama, during a manifestation of solidarity with Cuba. If it had not been for the cooperation of the Cuban security agencies and the rapid action by the Panamanian security agencies, hundreds of people would have perished, including Panamanian workers, students and indigenous persons participating in the manifestation.

At the time, these four complaints were inexplicably rejected by a Panamanian court. Although the organizations concerned appealed to the Supreme Court of Panama, on the grounds that the complaints were relevant to the trial taking place against the four terrorists, they are still awaiting a decision from the highest tribunal of the Republic of Panama. If this opinion is favourable, these complaints would provide the Panamanian courts with additional elements enabling them to judge and sentence the accused.

Simultaneously with this lack of decision, our people also learnt that, because of judicial procedures existing in the Republic of Panama, the four terrorists would be tried not for attempted murder (for which more severe penalties could obviously be imposed on them) but solely for possession of weapons, complicity to commit an offence, offences against public safety and illegal entry into the country (offences of lesser seriousness).

In addition, attempts were made by Panamanian members of the judiciary to recuse themselves from presiding over the tribunal that would judge the case, so that once again the intervention of Panama's higher courts was required.

Concurrently with these strange events, there has been unusual activity by the Miami terrorist Mafia, with repeated trips to Panama, appearances by some of their leaders on Panamanian television and even interviews with Panamanian authorities, all related to the case of the four detained terrorists and their attempts to achieve impunity for their accomplices.

Our Government even found that terrorists of Cuban origin residing in United States territory who had participated with Luis Posada Carriles and his accomplices in the failed attack of November 2000 against Comrade Fidel and who were also being sought by our judicial authorities for other terrorist acts against Cuba were among those regularly visiting the terrorists in Panama.

These include the terrorist Santiago Alvarez Fernández-Magriña. He is the subject of Case No. 10 of the year 2001 before the Investigative Organ of the Department of State Security of the Republic of Cuba, which shows that he financed and organized an attempt to infiltrate our country by three individuals belonging to the F-4 terrorist organization, based in the state of Florida, in the United States, who were captured at sea by security agencies of the Republic of Cuba after a fight and who were in possession of automatic and semi-automatic rifles and other military-type weapons.

Consequently, in accordance with the Panamanian Judicial Code and with international practice, the Ministry of Foreign Affairs requested on 16 May 2002, through the Cuban Embassy in Panama, the provisional detention for purposes of extradition of the above-mentioned terrorist Santiago Alvarez Fernández-Magriña.

It is well known that such persons who travel regularly from Miami to intercede for detained terrorists are organizing escape plans and providing the necessary resources for their execution, in a plot similar to the one which enabled Luis Posada Carriles to escape from a Venezuelan prison.

In addition, in recent weeks, following the request for extradition of Posada Carriles submitted by the Bolivarian Republic of Venezuela, the lawyer Rogelio Cruz himself published a paid article in the Panamanian press in which he tried to claim that his client had not "escaped" from a Venezuelan prison but had simply "departed" on foot without being stopped by anyone. He also tried to plead the innocence of Luis Posada Carriles of the Barbados crime, describing him as a scapegoat unjustly accused by our Government. Mr. Rogelio Cruz seems to have forgotten the accounts given by the terrorist Posada Carriles himself a few years ago to the American press, in which he not only acknowledged his crimes against Cuba and its people but boasted of them.

In addition to the unjustified rejection by the authorities of the Republic of Panama of the Cuban extradition request, the lack of response to the extradition request made by the Bolivarian Republic of Venezuela, the numerous judicial irregularities that we have witnessed in this trial and the constant visits to Panama by Miami Mafiosi, now we have the transfer of the terrorist Luis Posada Carriles to the San Fernando private clinic, instead of to the prisoners' ward in the Santo Tomás Hospital, where the Panamanian authorities have the necessary security arrangements to prevent the escape which is perhaps being plotted.

The Ministry of Foreign Affairs cannot help but find this procedure most strange, especially as it was authorized by the President of the Second Tribunal of the Republic of Panama, Mr. Joaquín Ortega, who at the time rejected the

complaints brought against the four terrorists by the Panamanian labour, student and indigenous organizations.

On previous occasions, when these terrorists have been transferred to hospital facilities without proper supervision or adequate security, our Government has complained that the transfer of terrorists to such facilities is one of the steps towards a possible escape and has alerted the Panamanian authorities to their responsibility to ensure that such dangerous and sinister persons, who are supported and given financial and other resources by their terrorist network in Central America and the United States, do not escape justice.

On this occasion, the Ministry of Foreign Affairs is issuing a similar warning to prevent a possible escape by the terrorist Posada Carriles and has again reminded the Panamanian authorities of their responsibility to take appropriate measures to prevent the execution of the plans formulated and financed by terrorist groups of Cuban origin currently operating with impunity from the territory of the United States, where some of them and their leaders have such excellent relations with Mr. Bush that they participated in his act of 20 May 2002.

Havana, 23 June 2002